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12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 SAN FRANCISCO DIVISION

15 UNITED STATES OF AMERICA,) No. CR 05 0254 CRB
16 Plaintiff,) [PROPOSED] ORDER AND
17 v.) STIPULATION CONTINUING MOTIONS
18 DERA MARIE JONES,) HEARING TO JULY 27, 2005, AND
19 a/k/a Derek Jones,) EXCLUDING TIME FROM APRIL 25,
20 Defendant.) SPEEDY TRIAL ACT CALCULATION
21 (18 U.S.C. § 3161(h)(8)(A))

22 With the agreement of the parties, and with the consent of the defendant, the
23 Court enters this order rescheduling a motions hearing in this matter before the Honorable
24 Charles R. Breyer from June 29, 2005 to July 27, 2005 at 2:15PM, rescheduling the associated
25 briefing schedule, and documenting an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
26 3161(h)(8)(A), from April 25, 2005 to July 6, 2005. The parties agree, and the Court finds and
holds, as follows:

27 1. In light of scheduling conflicts and the need to review the discovery in this
28 matter, the parties stipulate, and the court orders, that the motions hearing previously set for June
29, 2005 be moved to July 27, 2005 at 2:15PM, and that the motions schedule be revised to
30 proceed as follows: The defendant's motions due by July 6, 2005, the United States' responses

1 due by July 20, 2005, and the defendant's replies (if any) due by July 27, 2005.

2 2. The defendant agrees to an exclusion of time under the Speedy Trial Act from
3 April 25, 2005 until July 6, 2005, the anticipated filing date of pretrial motions in this matter.
4 Failure to grant the request continuance and briefing schedule would unreasonably deny defense
5 counsel reasonable time necessary for effective preparation, taking into account the exercise of
6 due diligence, and would deny the defendant continuity of counsel.

7 3. Given these circumstances, the Court finds that the ends of justice served by
8 excluding the period from April 25, 2005 to July 6, 2005, outweigh the best interest of the public
9 and the defendant in a speedy trial. § 3161(h)(8)(A).

10 4. Accordingly, and with the consent of the defendant, the Court orders that the
11 period from April 25, 2005 to July 6, 2005 be excluded from Speedy Trial Act calculations under
12 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

13
14 IT IS SO STIPULATED.

15
16 DATED: 6/1/05

17 _____
18 /S/Robert David Rees
19 ROBERT DAVID REES
20 Assistant United States Attorney

21
22 DATED: 6/1/05

23 _____
24 /S/for
25 ELIZABETH FALK
26 Assistant Federal Public Defender
 Attorney for Defendant

22 IT IS SO ORDERED.

23
24 DATED: June 01, 2005

